

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KING MWASI,

Plaintiff,

v.

LUCKEN, *et al.*,

Defendants.

Case No. 1:21-cv-00702-JLT-BAM (PC)

**ORDER TO SHOW CAUSE WHY ACTION
SHOULD NOT BE DISMISSED FOR
FAILURE TO COMPLY WITH COURT
ORDER AND FAILURE TO PROSECUTE**

(ECF No. 80)

FOURTEEN (14) DAY DEADLINE

Plaintiff King Mwasi (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. This action proceeds on Plaintiff’s first amended complaint against Defendant Lucken, Sepeda, and Blanco (“Defendants”) for excessive force in violation of the Eighth Amendment. This matter is set for a pretrial conference on October 14, 2025, and a jury trial on December 16, 2025.

On May 13, 2025, the Court issued a second scheduling order directing Plaintiff to file his pretrial statement on or before September 2, 2025. (ECF No. 80.) Plaintiff was advised that the failure to file a pretrial statement or to comply with the procedures set forth as required by that order may result in the imposition of appropriate sanctions, which may include preclusion of any and all witnesses, dismissal of the action, or entry of default. (*Id.* at 7.) The deadline for Plaintiff’s pretrial statement has expired, and Plaintiff has failed to comply with the Court’s scheduling order or to otherwise communicate with the Court.

1 Accordingly, Plaintiff is HEREBY ORDERED to show cause by written response why
2 this action should not be dismissed, with prejudice, for failure to obey the Court's order and for
3 failure to prosecute. Plaintiff's response is due within **fourteen (14) days** from the date of
4 service of this order. **If Plaintiff fails to file a response, or the response does not demonstrate**
5 **good cause, this matter will be dismissed.**

6
7 IT IS SO ORDERED.

8 Dated: September 8, 2025

/s/ Barbara A. McAuliffe
9 UNITED STATES MAGISTRATE JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28